

United States Senate

WASHINGTON, DC 20510

October 28, 2009

Congresswoman Nydia Velázquez
Chairwoman
Congressional Hispanic Caucus
2466 Rayburn House Office Building
Washington, DC 20515

Dear Chairwoman Velázquez:

We write to express our support and thanks to you and your colleagues for the leadership the Congressional Hispanic Caucus (CHC) has shown in searching for solutions to address the concerns facing many of America's Hispanic farmers.

As you know, ten years ago, Hispanic farmers filed a lawsuit against the USDA for denying Hispanic farmers Farm Service Agency loans and disaster benefits in violation of the Equal Credit Opportunity Act and the Administrative Procedure Act. While separate court decisions have granted similar lawsuits filed by African American and Native American farmers class certification, a 2006 decision by the Court of Appeals of the District of Columbia Circuit affirmed a previous district court decision that denied the Hispanic farmers' case the same certification.

Following these determinations, the Department of Justice has been reluctant to negotiate with the Hispanic farmers. Additionally, there is currently no administrative process in place by which the USDA can revisit claims that have exceeded the statute of limitations. Left unaddressed, this certification denial could force each of the estimated 80,000 Hispanic farmers to either try their cases individually, a potentially costly and burdensome process, or be denied a chance at justice for the wrongs they or their family members may have suffered.

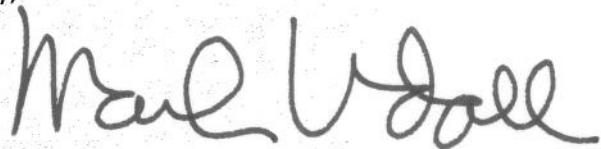
We were pleased to learn that the CHC met with Secretary of Agriculture, Tom Vilsack, on October 13, 2009 to discuss the current situation and explore possible avenues to a resolution. We ask that you continue your efforts to help find closure for this unfortunate chapter of USDA history. We also encourage you to reach out to us, as we stand prepared to be helpful. Our collective goal must remain finding a just resolution to this matter.

Again, on behalf of Hispanic farmers in Colorado and across the country, we thank you for this important work.

Sincerely,



Michael F. Bennet
U.S. Senator



Mark Udall
U.S. Senator